



09-10-03

RCE/1903  
PTO/SB/30 (08-03)Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
For  
continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>Application Number</b>	09/940,954
<b>Filing Date</b>	August 28, 2001
<b>First Named Inventor</b>	Ulrich Meisen
<b>Art Unit</b>	1756
<b>Examiner Name</b>	Christopher D. Rodee
<b>Attorney Docket Number</b>	Mo-6419/LeA 34,865

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/ Declaration(s)      iv.  Other Terminal Disclaimer \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a.  Deposit Account No. 50-2527

i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other Terminal Disclaimer Fee \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Godfried R. Akorli	Registration No. (Attorney/Agent)	28,779
Signature		Date	September 9, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

Express

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~first class~~ mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

EU942981224US

Name (Print/Type)	Sara Sue Riley	Date	September 9, 2003
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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TC 1700

PATENT APPLICATION  
Mo-6419  
LeA 34,865

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF )  
ULRICH MEISEN ) GROUP NO.: 1756  
SERIAL NUMBER: 09/940,954 ) EXAMINER: C. D. RODEE  
FILED: AUGUST 28, 2001 )  
TITLE: TONER CONTAINING )  
MAGNETITE PARTICLES )

RESPONSE AND AMENDMENT

Commissioner for Patents  
Alexandria, VA 22313-1450  
Sir:

In accordance with statements of the Advisory Action in the case, Applicants file this response including a Terminal Disclaimer in order to advance the application to allowance.

Applicants take this opportunity to acknowledge with appreciation the entry of the amendment of June 9, 2003, upon filing Notice of Appeal, and the withdrawal of the section 112 and 103(a) rejections, as stated in the Advisory Action.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 9/9/03

Godfried R. Akorli Reg. No. 28,779  
Name of applicant, assignee or Registered Representative

Signature  
September 9/2003  
Date